

# House Amendment 8021

PAG LIN

1 1 Amend House File 2351 as follows:  
1 2 [#1.](#) By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. NEW SECTION. 6A.22 CONTESTING USE OF  
1 5 EMINENT DOMAIN AUTHORITY FOR CERTAIN ECONOMIC  
1 6 DEVELOPMENT ACTIVITIES == BURDEN OF PROOF.  
1 7 1. The exercise of eminent domain authority for a  
1 8 public use, public purpose, or public improvement  
1 9 includes condemnation of property, except agricultural  
1 10 property, for economic development activities  
1 11 resulting in increased tax revenues, increased  
1 12 employment opportunities, housing and residential  
1 13 development, or commercial or industrial development  
1 14 if such activities are part of a plan adopted by the  
1 15 governing body of a city or county after due  
1 16 deliberation and public input.  
1 17 2. In any action contesting whether eminent domain  
1 18 authority is being exercised appropriately under this  
1 19 section, the burden of proof is on the city or county,  
1 20 as applicable, to prove by a preponderance of the  
1 21 evidence that the proposed use of the property is for  
1 22 an economic development activity as described in  
1 23 subsection 1, and that there is no prudent and  
1 24 feasible alternative to condemnation of the property.>  
1 25 [#2.](#) Title page, by striking lines 1 through 4, and  
1 26 inserting the following: <An Act relating to the  
1 27 exercise of eminent domain authority for certain  
1 28 economic development activities.>  
1 29 [#3.](#) By renumbering as necessary.  
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1 33 TOMENGA of Polk  
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1 37 R. OLSON of Polk  
1 38 HF 2351.201 81  
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